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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/643,877	08/20/2003	Mu-Yi Liu	COR 131	5190
7590 01/05/2005				
RABIN & BERDO, PC Suite 500 1101 14th Street, N.W. Washington, DC 20005			EXAMINER PRENTY, MARK V	
			ART UNIT 2822	PAPER NUMBER

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/643,877

Applicant(s)

LIU ET AL.

Examiner

MARK V PRENTY

Art Unit

2822

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,3 and 6 is/are allowed.
- 6) ☒ Claim(s) 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

This Office Action is in response to the amendment filed on December 10, 2004. That amendment has been entered.

As a preliminary matter, the applicant's remark: "The Amendment that was filed on [sic] August 11, 2004 included a proposed drawing change to Figure 3, to correct a typographical error. Although the Office Action of October 1, 2004 does not say whether the proposed drawing change has been approved," is incorrect. The Office Action of October 1, 2004 clearly states (on page 3): "The proposed drawing change filed on August 11, 2004 is approved."

Claim 5 is rejected under 35 U.S.C. 102(e) as being anticipated by Eitan (newly cited United States Patent 6,664,588).

With respect to independent claim 5, Eitan discloses (see the entire patent, including the Figs. 7-9 disclosure) an ONO flash memory array for reducing disturbance between first and second adjacent memory cells, comprising: a substrate 166 having first source/drain and second source/drain regions 104, the second source/drain region having a first portion in the first memory cell and a second portion in the second memory cell; a channel in the first memory cell between the first source/drain region and the first portion of the second source/drain region; an ONO layer 160/162/164 above the channel for memory storage in the first memory cell; and an implanted pocket arrangement nearby the second source/drain region that is asymmetrical with respect to the first and second portions thereof, wherein the implanted pocket arrangement comprises an implanted pocket at one of the portions of the second source/drain region, the other portion lacking a pocket (see the Fig. 8 disclosure).

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Claim 5 is thus rejected under 35 U.S.C. 102(e) as being anticipated by Eitan.

Claims 1, 3 and 6 are allowable over the prior art of record.

Registered practitioners can telephone the examiner at (571) 272-1843. Any voicemail message left for the examiner must include the name and registration number of the registered practitioner calling, and the Application/Control (Serial) Number. Technology Center 2800's general telephone number is (571) 272-2800.


Mark V. Prenty
Primary Examiner